

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 04M-269CP

RE: IN THE MATTER OF THE FILING OF RATE TARIFF 3 SCHEDULED TO BECOME EFFECTIVE ON DECEMBER 6, 2004 BY RAINBOWS, INC. DOING BUSINESS AS 453-TAXI.

COMMISSION ORDER REJECTING TARIFF FILING

Mailed Date: December 3, 2004
Adopted Date: December 1, 2004

I. BY THE COMMISSION:

A. Statement

1. On November 5, 2004, Rainbows, Inc. doing business as 453-Taxi Tariff Number 3, filed Rate Tariff 3 to become effective on December 6, 2004. No current financial justification accompanied the filing, nor did 453-Taxi notify the public of the increase.

2. 453-Taxi proposes increase of up to 200 percent for the transportation of passengers in taxi service in the Breckinridge area. Commission staff contacted 453-Taxi with its reservations concerning the filing and requested a postponement of the effective date so that justification and notice could be filed. On November 30, 2004, staff obtained a copy of the November 26, 2004 notice that published an effective date of December 19, 2004. However, as of December 3, 2004 no postponement of the current filing or justification has been received.

3. Rule 31 of the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1 requires that rate increase proposals must be accompanied by statements setting forth all the circumstances, conditions, and data relied upon in justification

of the proposed changes. The Commission finds in accordance with Rule 4 CCR 723-1-31 that Tariff Number 3 must be rejected.

II. ORDER

A. The Commission Orders That:

1. Rainbows, Inc. doing business as 453-Taxi, Tariff Number 3, with an effective date of December 6, 2004, is rejected.

2. The 20-day time-period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, re-argument, or reconsideration shall begin on the first day after the effective date of this Order.

3. This Order is effective on its Mailed Date.

B. ADOPTED IN THE COMMISSIONERS' WEEKLY MEETING DECEMBER 1, 2004.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners
COMMISSIONER POLLY PAGE ABSENT.

I/TRANS/ORDERS/04M-269CP